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September 2, 2025

VIA CM/ECF & HAND DELIVERY

The Honorable Christopher J. Burke
J. Caleb Boggs Federal Building
844 N. King Street, Unit 28, Room 2325
Wilmington, DE 19801-3555

RE: *National Steel Car Limited v. FreightCar America, Inc.*, Civ. No. 24-00594

Dear Judge Burke:

Plaintiff National Steel Car Limited (“NSC”) and Defendant FreightCar America, Inc. (“FreightCar America”) submit this joint letter pursuant to the Court’s August 25, 2025, oral order (D.I. 111).

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in verbal meet-and-confers on the following date(s): August 29, 2025, and September 2, 2025.

Delaware Counsel: Andrew Russell and/or Lindsey Gellar (NSC), Jack Phillips and/or David Bilson (FreightCar America)

Lead Counsel: Robert Keeler, Kenneth Sheehan, and Kevin Adams (NSC). Justin Gillett and Sean Murray (FreightCar America).

The parties agreed to table the following disputes:

- NSC’s RFP Nos. 2-3, 6-7, 15-16, 18-24, 26-28, 30, 35, 44-49, 51-54, 60, 62-64, and 67
- NSC’s RFP Nos. 9, 12, 25, 32, 33, 36, 37, 38, 39, 57, and 58
- NSC’s Interrogatory Nos. 1, 7, 9, and 12

The parties respectfully request the Court to resolve the following disputes:

- NSC’s RFP Nos. 29, 43, 50, 55, and 61
- NSC’s Interrogatory No. 15

SHAW KELLER LLP

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Respectfully submitted,

/s/ Andrew E. Russell

Andrew E. Russell (No. 5382)

cc: Clerk of Court (by CM/ECF & Hand Delivery)
All Counsel of Record (by CM/ECF & Email)